

TOWN COUNCIL MINUTES
REGULAR MEETING
WEDNESDAY, APRIL 10, 2002

The meeting was called to order at 6:32pm.

PRESENT: Chairman T. Young, Denise Pichette-Volk, P. Rueppel, M. DiBitetto, R. Dion, P. Ganley, D. Duford, M. Farrell-Town Administrator. Excused: R. Holley, M. Jolin.

MINUTES: March 27, 2002. P. Ganley moved to approve the minutes as amended. Seconded by P. Rueppel. **Motion carried unanimously.**

TOWN ADMINISTRATOR'S REPORT: M. Farrell reported on the following:

1. Deputy Chief Allen Coen has resigned; his last day is Friday April 12. He has taken a position as Fire Chief in the Town of Gilmanton. He is wished the very best of luck.
2. Budget Report ending March 31st details that spending should be at 75% for fiscal year budget. Family Services welfare is estimated to spend \$18,000 more in the next three months. The Fire Department, though over spent to this point, will come in under budget at fiscal year end. With the resignation of one Deputy Fire Chief and one Firefighter there will be no replacing them until the end of the year, which should be a \$15,000 savings in both salaries. The Chief has been asked to have 5 people per shift instead of the usual 6. This could save an additional \$40,000. They have also been asked to give a 30-day notice for vacation instead of the usual seven days. Also, attendance at meetings is going to be on a volunteer basis instead of receiving overtime. Unbudgeted overtime (totaling \$65,000) associated with several lengthy absences due to workers comp and disability were chiefly responsible for the overspending. The events of 9-11 have also caused unbudgeted funds to be expended in the amount of \$19,950. Most of the major purchases and road paving for the Town have occurred. It is estimated that there will be a \$200,000 surplus at fiscal year end.
3. It is appointment time for the Town's Health Officer and it is requested that Ken Andrews will be reappointed.

P. Ganley moved that Ken Andrews be reappointed as the Town's Health Officer. Seconded by M. DiBitetto. **Motion carried.**

4. The Fire Department put the old forestry unit, a 1981 mini pumper, out to bid in various statewide publications. The two responses were received and the \$4,127 from Shelburne, NH Fire Department was the highest. M. Farrell recommended that Council award the bid to them.

D. Duford moved to accept the Bid of \$4,127 for the 1981 mini pumper fire apparatus. Seconded by P. Ganley. **Roll call vote carried unanimously.**

5. In a legislative hearing, HB1221 relative to coordinating certain town and school district meetings. The bill would allow towns and schools that have adopted SB2, to hold joint town meetings. If this passes, he recommends meeting with the school system for further discussion.

PUBLIC INPUT:

John Gryval, 5 Elmer Ave. stated that from the Community Profile came the development of the Master Plan Committee. There is currently a balance of \$1,491.79 in the Community Profile account that came from donations from the well-attended event on November 2 & 3, 2001. The Master Plan Committee would like to be able to use these funds. There are six spin-off groups that came out of the Community Profile and the question is what portion of the funds can be used towards the Master Plan Committee. Also the Master Plan Committee has spent a total of \$700 of their own money and would like to know if they could be reimbursed out of the \$1,491.79. In May they plan to have a Master Plan kickoff and could use some funding for the event.

D. Duford stated that the funds were accepted in the name of the Community Profile Project.

M. Ruel stated that tax donation/thank you letters were sent to the donors.

Consensus of the Council was to have the Town Administrator and Director of Finance move forward with the proper distribution of funds.

M. Ruel stated that there is a Master Plan kick off meeting on Saturday, May 18th from 8:30 till about 12:30 in the Media room at Memorial School.

SCHEDULED APPOINTMENTS:

7:15pm David Campbell of Manchester Sand & Gravel presented an updated plan for the development of the Head's Pond area. **(Attachment #1)**.

PUBLIC HEARINGS:

7:32PM ROSEDALE ST. - CLOSURE PROPOSAL.

D. Pichette-Volk, Councilor for District one stated the recent history of the situation with the street sign and traffic. She was contacted by Robert Stanhope, a resident of Rosedale St., with hopes of improving the traffic situation on Rosedale St. The sign on Route 3 has been satisfactorily addressed by the State. A new sign has been put in place. The second issue is whether or not to barricade the street on the Route 3A side. Highway, Fire and Police have given their input. Mail and hand delivered messages were sent out to residents in close vicinity to the Street.

Robert Stanhope, 14 Rosedale St., stated at peak traffic times the street is used as a short cut to avoid waiting for the light on Main St. and Route 3. There are no sidewalks to protect the pedestrians and young children that are on the street. Law enforcement during peak traffic hours is very, very low. Therefore drivers are not concerned with obeying the "do not enter" or the speed signs on this narrow street.

D. Pichette-Volk stated that she took a walk down the street and her observations were that within a five-minute study she noticed that there was one driver going too fast and one driver disobeying the posted sign.

Chairman Young read a letter from Philip and Nancy Morin who were not in favor of closing the street from the Route 3A side.

R. Dion stated he was concerned with the traffic coming off the Pinnacle. It could be problematic in trying to get on to Route 3A.

D. Duford stated why the next street over, Maple Street, was closed off a few years back.

PUBLIC INPUT:

Joe Ientile, 18 Rosedale St., stated that during inclement weather it is difficult for him to slow down to turn on to his street because traffic behind him is not able or not willing to slow down so that he may enter his street. He's afraid of being rear-ended. Therefore he finds it safer to circle around 2 to 3 times before entering his street.

Norman Therrien, 23 Rosedale St., stated he is located on the corner of 3A and has seen drivers pass the light, go up his street in order to avoid waiting for the red light.

Walter Chase, 1 Donald St. and Pinnacle St. stated he has a difficult time getting on to Route 3A. He felt that a bigger sign or a lighted sign on Route 3A and Rosedale Street would be more helpful.

Sully Hassan, 9 Summit Dr., stated that he doesn't see a problem on Rosedale Street. He has not seen much traffic on that street and he drives it two or three times a day.

Jackie LaCasse, 6 Rosedale Street, stated that she lives on the corner and has witnessed recklessness, high speed and driving in the improper direction.

Chairman Young asked how wide is the street.

D. Hemeon stated about 20 feet wide and parking is allowed on the street.

Ann McLaughlin, 24 Rosedale St., stated that traffic is horrendous on the street with drivers making illegal turns. She recently almost got hit while walking with her granddaughter.

Kathy Jandsz, 14 Birch Hill Drive, stated that she sees Rosedale as a problem. Getting off the Pinnacle is very difficult. She asked how will they get on to Route 3A.

Jerry Giblin, 22 Rosedale St., stated he has had trucks drive on to his lawn due to people using the street as a short cut.

Chief Howard stated that the Fire Department is in favor of closing off Rosedale Street on the Route 3A side.

M. Farrell stated that the Fire Department has recommended closing off the street on the Route 3A side. He also said that in previous years the reason to keep it open was because there were no accident reports, the previous Highway Department Manager said it would be difficult to plow, the pervious Superintendent of Schools said they would have to extend bus routes and would have to reverse positions, the Fire Chief, at the time, said that it was narrow for making turns.

Chief Agrafiotis stated it is difficult to say what solution is better than the other. The people coming from the Pinnacle area have a valid point as well. He is not a traffic engineer and maybe that is what is needed.

Chairman Young closed the Public Hearing at 8:15pm.

No action will be taken until additional options are explored by the Administration.

8:15PM MANCHESTER WATER WORKS - EXTENSION FRANCHISE.

Guy Chabot, representing Manchester Water Works, explained that the reason for the requested extension was to supply water to a proposed 6-lot subdivision off Smyth Road.

R. Dion asked who would be responsible to return the road back to good condition, the way it was before the work would be done.

Guy Chabot indicated the Manchester Water Works subcontractor would do the work.

M. Farrell stated the road repairs are included in the subdivision bond.

There being no comments from the public, Chairman Young closed the public hearing at 8:23pm.

Consensus of the Council was to wait seven days before taking any action.

8:25 CENTRAL HOOKSETT WATER PRECINCT – EXTENSION OF FRANCHISE.

Chairman Young asked if a representative for the Precinct was present.

M. Farrell stated that there is no representative from Central Water but they have sent a letter stating they do not oppose the extension of the franchise.

Chairman Young read the entire letter from Attorney B.J. Branch representing Central Hooksett Water Precinct.

Pat Long, 21 Harmony Lane, stated that he has brought forth the petition from the inhabitants of the Central Hooksett Water Precinct petitioning the Hooksett Town Council to change the boundaries of the said precinct by including the following properties located on tax map #26: Lot #2, Lot #5 and Lot #31.

M. DiBietto asked if Central Hooksett Water Precinct had received a copy of the petition.

M. Farrell stated yes, via fax this afternoon.

J. Pieroni, 26 Autumn Run, School Board Member, displayed a few maps indicating where the three parcels are located.

Nick Cricenti of SFC Engineering Partnership, Inc. stated that they have been working with the school to develop a water supply for the new middle school. The original premise was to develop a water supply that would provide water for the proposed middle school and future high school if it were built on the same site. The proposed middle school could be supplied water; however a second school would not work as the elevation would be the same level as the water tank. That would cause high pump station pressures, which isn't desirable. The water precinct is willing to let SFC Engineering deal with one school at a time and that's what their design is based on.

David Rienstra, of Team Design, Architect for the Middle School, stated that all the particulars such as the pump design, pumps, and piping have been met. The exception is the restriction of asking permission of building further additions.

R. Suprenant, Superintendent of SAU 15, stated, in a letter from Janet Levy of Central Water Precinct, she has two restrictions for the school system one is that absolutely no water be used in the exterior of the building. Therefore the school is looking at a well system that may be used for the exterior building usage. There are some small issues the school would like to discuss for exterior building usage such as fund raising via a car wash, watering plants and shrubs. The second item is that if an addition to the school is needed the school district would be required to build an atmospheric tank. The concern is that the school does not want to be solely connected or responsible for the construction of the tank.

P. Rueppel asked if it doesn't work out with Central Water could you go to another water franchise.

Chairman Young said no because we have to notify the PUC that Central has expanded their franchise.

D. Duford asked why it was done by petition.

J. Pieroni stated that he inquired how to go about it and was told that petition was the proper route to go.

M. Farrell stated that petition is the proper way to go per the RSA.

M. Ruel requested that before taking a vote, tonight, that the following be done.

1. Review maps of the franchise area.
2. Consult Planning Board to see if they have any concerns.
3. Wait for a full agreement.
4. Try to update the Master Plan.

PUBLIC INPUT:

Frank Kotowski, 21 Pleasant St., asked what is the cost of the delay if we are set back three months because we have to go through more hoops to get this started. We have a good deal,

good price we need to get water from one franchise or another. Let's get on with it and vote on it tonight.

Becky Berk, School Board Vice Chair, stated in working with the precinct, there is no issue with getting water to the middle school. The other issues or conditions that we will be working on with Central Water are related to a future high school that may or may not happen.

M. DiBietto asked why is it imperative that the vote be tonight. We usually have a seven day wait before a vote is taken.

D. Rienstra, Team Design - Project Manager, has a contractor right now that is ready to break ground and looking for all the permits to be in place. Some of the permits are tied to having water available for the site. The design has been approved. The plan is in place and ready to go for the school. There are a lot of loose ends that need to be finalized to get the contractors ready to go forward.

Chairman Young stated that right now you do not have Central's Hooksett's Water Precinct's approval and will not have it for at least another week.

N. Cricenti stated the school has conditional approval.

Chairman Young closed the Public Hearing at 9:03pm.

P. Rueppel moved to suspend the seven-day rule. Seconded by R. Dion.

P. Ganley stated M. Ruel, who is a Planning Board member, has an important point; if we grant extension of this franchise, do we hinder any other franchises in that area.

Chairman Young asked that since the middle school will be located on the lower portion of all the lots off of Whitehall Road, would it be possible to cut off the larger portion to limit the extension of the franchise.

J. Pieroni stated and pointed out on the map where the easement is located. The location crosses lot 31, lot 5 and sits on the pumping station on lot 2 that's why all 3 lots are included in the franchise extension. It does not include any other homes or structures along the way. It is a continuation from Whitehall Terrace.

R. Dion stated it doesn't appear that, if in the future Farmer Road would want to extend their water, that they would be in jeopardy of water usage from a franchise of their choice.

Roll call vote:

R. Dion	yes	D. Pichette-Volk	yes
P. Ganley	no	D. Duford	no
M. DiBietto	yes	T. Young	no
P. Rueppel	yes	<u>Motion failed for lack of a 2/3 vote.</u>	

M. Farrell stated that there is nothing in the statutes that says you have to wait seven days to make a decision.

R. Dion moved that we allow Central Hooksett Water precinct to change their boundaries by including the following properties located on Tax Map #26: Lot # 2, Lot # 5, Lot #31. Seconded by P. Rueppel.

Chairman Young stated the motion is out of order because the motion to suspend the seven-day rule failed.

9:17PM JOHN PIERONI, SCHOOL BUILDING COMMITTEE – EASEMENT ON WHITEHALL ROAD.

J. Pieroni reviewed the issue of needing to build a new middle school and changing the access to the school via Whitehall road and this has led us to the water access issue, drainage, and retention pond status.

M. DiBietto moved to accept the easement as submitted. Seconded by P. Ganley

M. Farrell stated that legal counsel has read and it and is in agreement with the easement.

Roll Call vote carried unanimously.

D. Duford moved at 9:30pm to extend. Seconded by D. Pichette-Volk.

R. Dion moved to amend to cover non-public session only. Seconded by M. DiBietto.

Roll call vote:

D. Duford	no	P. Rueppel	yes
R. Dion	yes	D. Pichette-Volk	yes
P. Ganley	yes	T. Young	yes
M. DiBietto	yes	<u>Roll call vote on amendment carried.</u>	

Roll call vote on original motion as amended carried unanimously.

R. Dion moved at 9:35pm to enter into nonpublic session under RSA 91-A: 3, II, (e). Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Motion seconded by D. Pichette-Volk. **Motion carried.**

R. Dion moved at 9:54pm to exit nonpublic session. Motion seconded by P. Ganley. **Roll call vote carried unanimously.**

Chairman Young adjourned the meeting at 9:55pm.

Tina M. Paquette
Administrative Assistant

Patricia Rueppel
Town Council Secretary Pro-Tem